

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE SIXTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE

and

THE HON'BLE MR JUSTICE M.NARAYANA REDDY

WRIT PETITION NO : 2401 of 2002

Between:

- 1 O.Saroja D/o.Pochaiah,
I Year Intermediate Student, APSWR Junior College,
Pochampad, Nizamabad District
- 2 Ganesh S/o.Sriramulu
VIII Class, Yellareddy, Nizamabad
- 3 Swapna D/o.Parvaiah
Intermediate, BPC Group, Pochampad, Nizamabad District
- 4 M.Sudhakar
VII Class, APSWR School, Yellareddy, Nizamabad District
- 5 Mekka Sailu ,
Biknoor Village & Mandal Nizamabad District
- 6 Parvaiah,
Gandhinagar, Yellareddy, Nizamabad District
- 7 N.Lalaiah
Jukkal Village and Mandal, Nizamabad District
- 8 M.Laxman
Birkur village, and mandal, Nizamabad District
- 9 Ch.Gangaram
Laxmapur, Nizamabad District

..... PETITIONERS

AND

- 1 The Secretary,
A.P.Social Welfare Residential Educational Institute Society,
Hyderabad

- 2 The Secretary,
A.P.Tribal Welfare Residential Educational Institute Society, Hyderabad
- 3 The Secretary,
A.P.Social Welfare Residential School, Yellareddy, Nizamabad District
- 4 The Secretary to the Govt. of A.P.
Social Welfare and Tribal Welfare Department, Secretariat, Hyderabad
- 5 The Secretary to the Govt. of A.P.
Education Department, Secretariat, Hyderabad

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order, direction, or a writ more particularly one in the nature of writ of mandamus calling for the records and remarks from the respondents herein, in and connected to: In-action of the Respondents Nos.1 to 5 herein in not appointing regular teachers, in the social welfare and Tribal welfare Residential Educational Institutes and to pass appropriate orders in the matter directing the concerned authorities to appoint teachers on regular basis on par with the regular teachers in Government Schools to avoid discrimination and irreparable loss to the tribals and to pass such other orders.

Counsel for the Petitioner: PETITION

Counsel for the Respondent Nos.1 to 4: GP FOR SOCIAL WELFARE

Counsel for the Respondent No.5: G.P. for Education

The Court made the following Oral Order: (per Sri Devinder Gupta, CJ)

Letter from students of A.P. Social Welfare Residential School, Yellareddy, Nizamabad District, dated 26.1.2002 was entertained as “Public Interest Litigation”, as taken up matter.

They made grievance that Government in order to uplift the Tribals had constituted two societies, namely, A.P. Social Welfare Residential Educational Institute Society, (Regd.) and A.P. Tribal Welfare Residential Educational Institute Society (Regd.). There were two lakh students taking education in the two societies. It has been pointed out that most of the teachers teaching in those societies are appointed on contract basis and were leaving the institutions during mid academic session on getting regular appointment, thereby deserting the students adversely affecting their studies. Therefore, a direction is sought in this petition to appoint teachers on regular basis at par with other residential schools.

After rule nisi was issued in the year 2002, no counter affidavit was filed till date.

We, therefore, dispose of this writ petition with a direction to the respondents to treat the writ petition itself as a representation and take appropriate decision thereupon as may be deemed fit and proper within two months from the date of receipt of this Writ Order. No costs.

_____ DEVINDER GUPTA, CJ

Date: 6th December, 2004

M. NARAYANA REDDY, J

Pnb

To

- 1 The Secretary,
A.P.Social Welfare Residential Educational Institute Society,
Hyderabad
- 2 The Secretary,
A.P.Tribal Welfare Residential Educational Institute Society, Hyderabad
- 3 The Secretary,
A.P.Social Welfare Residential School, Yellareddy, Nizamabad District
- 4 The Secretary to the Govt. of A.P.
Social Welfare and Tribal Welfare Department, Secretariat, Hyderabad
- 5 The Secretary to the Govt. of A.P.
Education Department, Secretariat, Hyderabad
- 6 Two C.Cs. to the Government Pleader for Social Welfare, High Court
Buildings, Hyderabad. (OUT)
- 7 Two C.Cs. to the Government Pleader for Education, High Court
Buildings, Hyderabad. (OUT)
- 8 Two C.D. copies

